

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

8:13-CR-249

vs.

MIGUEL GUTTERREZ AND  
YOLANDA GUTIERREZ,

Defendants.

ORDER

This matter is before the Court on the plaintiff's Motion to Dismiss Forfeiture Allegation (filing 153). In support of its motion, the plaintiff represents that the money that is the subject of the forfeiture allegation against the above-captioned defendants has been administratively forfeited by the Drug Enforcement Administration, so a judicial forfeiture action cannot proceed. *See 19 U.S.C. § 1609(b)*. Therefore, the Court will grant the plaintiff's motion.

IT IS ORDERED:

1. The plaintiff's Motion to Dismiss Forfeiture Allegation (filing 153) is granted.
2. The forfeiture allegation of the operative indictment (filing 1-2) is dismissed as to defendants Miguel Gutierrez and Yolanda Gutierrez.

Dated this 3rd day of January, 2014.

BY THE COURT:

  
John M. Gerrard  
United States District Judge